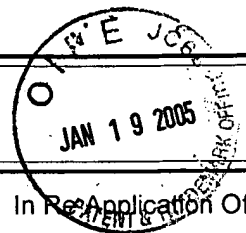


DPW



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
86267-34

In Re Application Of: LALIBERTÉ, Richard et al.

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|--------------------|----------|--------------|----------------|------------------|
| 10/666,054 | September 22, 2003 | N/A | 28291 | 3725 | 6588 |

Title:

LAMINATION PROCESS AND APPARATUS FOR ALKALI METALS OR ALLOYS THEREOF

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

- 1- Petition For Corrected Filing Receipt; (Reply to Response to Request for Corrected Filing Receipt);
- 2- Copy of Response to Request for Corrected Filing Receipt;
- 3- Copy of the Corrected Filing Receipt; and
- 4- Exhibit # 1.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-2550** as described below.
 - ☐ Charge the amount of _____
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: January 18, 2005

Brigide Mattar, Reg. No. 51,284
SMART & BIGGAR
1000 de la Gauchetière Street West
Suite 3300
Montreal, Quebec, H3B 4W5
CANADA

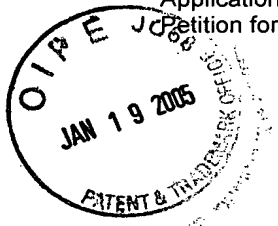
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: U.S. Patent Application of LALIBERTÉ, Richard et al.
App. No.: 10/666,054 Art unit: 3725
Filed: September 22, 2003 Examiner: N/A
For: LAMINATION PROCESS AND APPARATUS FOR ALKALI METALS
OR ALLOYS THEREOF

PETITION FOR CORRECTED FILING RECEIPT
REPLY TO "RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT"

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir/Madam:

Further to the "Response to Request for Corrected Filing Receipt" mailed October 6, 2004 (copy enclosed), the Applicants hereby respectfully request issuance of a Corrected Filing Receipt for the above-identified application.

It is respectfully requested that the Corrected Filing Receipt indicate the Domestic Priority data as claimed by the Applicants. Specifically, the present application claims priority from U.S. provisional application no. 60/411,387 filed on September 18, 2002, and it is respectfully requested that the Corrected Filing Receipt indicate this priority claim. A copy of the Corrected Filing Receipt mailed October 6, 2004 on which is indicated the requested priority claim information is enclosed herewith.

It is respectfully submitted that the requested correction is not due to any error on the part of the Applicants and thus that no fee is due for issuance of the Corrected Filing Receipt. However, if a fee is due for issuance of the Corrected Filing Receipt, the Director is hereby authorized to charge any required fee to Deposit Account No. 19-2550.

The following pages set forth the facts and the basis for the Corrected Filing Receipt.

I. FACTS

1. The present application claims priority from U.S. provisional application no. 60/411,387 filed on September 18, 2002 (as indicated in the "Combined Declaration and Power of Attorney" filed on February 11, 2004).
2. The present application was sent to the United States Patent and Trademark Office (USPTO) on September 17, 2003.
3. The USPTO was officially closed for business on Thursday, September 18, 2003 and on Friday, September 19, 2003 for reasons due to adverse weather, more particularly, a hurricane.

Enclosed is a printout, marked as Exhibit #1, retrieved from the USPTO website (www.uspto.gov/emergencyalerts/index_emergency.html) containing part of a Notification issued by the USPTO on September 25, 2003, evidencing that the USPTO was closed on the above-mentioned days and considers each of these days to be a "Federal holiday within the District of Columbia".

4. The present application was given the filing date of Monday, September 22, 2003.

II. BASIS FOR CORRECTED FILING RECEIPT

1. Section 510 of the Manual of Patent Examining Procedure (MPEP), Eighth Edition, August 2001 (Latest Revision May 2004), relates to filing of papers during unscheduled closings of the USPTO. This section states that:

"37 CFR 1.9(h) provides that the definition of "Federal holiday within the District of Columbia" includes an official closing of the Office. When the entire U.S. Patent and Trademark Office is officially closed for business for an entire day, for reasons due to adverse weather or other causes, the Office will consider each such day a "Federal holiday within the District of Columbia" under 35 U.S.C. 21. Any action or fee due on such a day may be taken, or fee paid, on the next succeeding business day the Office is open." [emphasis added¹]

2. 37 CFR 1.7 relates to times for taking actions when the times expire on a Saturday, Sunday, or a Federal Holiday, in particular, as it relates to provisional applications. This section states that:

"(a) [...] When the day, or the last day fixed by statute or by or under this part for taking any action or paying any fee in the United States Patent and Trademark Office falls on Saturday, Sunday, or on a Federal holiday within the District of Columbia, the action may be taken, or the fee paid, on the next succeeding business day which is not a Saturday, Sunday, or a Federal holiday. [...]"

¹ 37 CFR. 1.9(h) states that "[a] Federal holiday within the District of Columbia as used in this chapter means any day, except Saturdays and Sundays, when the Patent and Trademark Office is officially closed for business for the entire day."

35 U.S.C. 21(b) states that "[w]hen the day, or the last day, for taking any action or paying any fee in the United States Patent and Trademark Office falls on Saturday, Sunday, or a Federal holiday within the District of Columbia, the action may be taken, or fee paid, on the next succeeding secular or business day."

(b) If the day that is twelve months after the filing date of a provisional application under 35 U.S.C. 111(b) and § 1.53(c) falls on Saturday, Sunday, or on a Federal holiday within the District of Columbia, the period of pendency shall be extended to the next succeeding secular or business day which is not a Saturday, Sunday, or a Federal holiday." [emphasis added]

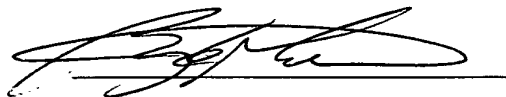
3. Therefore, each one of September 18, 19, 20 and 21, 2003, was either a Saturday, Sunday, or a Federal holiday within the District of Columbia. Accordingly, it is respectfully submitted that:
- i) the period of pendency of U.S. provisional application no. 60/411,387 filed on September 18, 2002 (on which the present application claims priority) extended to September 22, 2003; and
 - ii) the action of filing a non-provisional application claiming priority of U.S. provisional application no. 60/411,387 was allowed to occur on September 22, 2003.

Consequently, it is respectfully submitted that the filing of the present application on September 22, 2003, entitles the present application to claim priority from U.S. provisional application no. 60/411,387 filed on September 18, 2002.

III. CONCLUSION

In view of the foregoing, the Applicants respectfully request issuance of a Corrected Filing Receipt indicating the Domestic Priority data as claimed the Applicants, namely that the present application claims priority from U.S. provisional application no. 60/411,387 filed on September 18, 2002.

Respectfully submitted,



Brigide Mattar
Reg. No. 51,284
Agent for the Applicants

Date: January 18, 2005

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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| APPLICATION NUMBER | FILING OR 371(c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 10/666,054 | 09/22/2003 | Richard Laliberte | 86267-34 |

28291
 FETHERSTONHAUGH - SMART & BIGGAR
 1000 DE LA GAUCHETIERE WEST
 SUITE 3300
 MONTREAL, QC H3B 4W5
 CANADA

CONFIRMATION NO. 6588



OC000000014016956

Date Mailed: 10/06/2004


RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Domestic Continuity and Foreign Priority

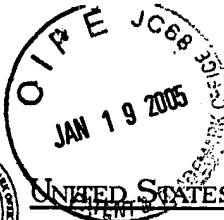
In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☐ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

- ☒ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.
- ☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/666,054 | 09/22/2003 | 3725 | 898 | 86267-34 | 7 | 21 | 2 |

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MONTREAL, QC H3B 4W5
CANADA

CONFIRMATION NO. 6588
CORRECTED FILING RECEIPT



OC000000014016927

Date Mailed: 10/06/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Richard Laliberte, Ste-Julie, CANADA;
Pierre Sirois, Longueuil, CANADA;
Regis Gagnon, Saint-Jean-sur-Richelieu, CANADA;

REÇU / RECEIVED

OCT 18 2004

1000 DE LA GAUCHETIÈRE OUEST

Power of Attorney:

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Anthony Morrow-28816

John Bochnovic-29229
Thomas Kelly-29244
Michael Wheeler-29246
R. John Haley-29502
Sohrab Sabet-30723

Domestic Priority data as claimed by applicant

This Application claims benefit of: 60/411,387, filed on September 18, 2002.
Foreign Applications

If Required, Foreign Filing License Granted: 12/12/2003

The number of your priority application, to be used for filing abroad under the Paris Convention is,
US10/666,054

Projected Publication Date: 03/24/2005

Non-Publication Request: No

Early Publication Request: No

Title

Lamination process and apparatus for alkali metals or alloys thereof

Preliminary Class

072

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

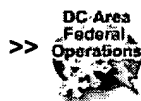
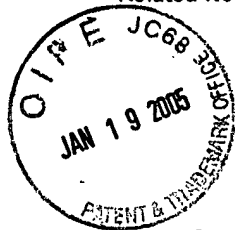
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**United States Patent and Trademark Office****EMERGENCIES**[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)[Related Notices](#) > [Notifications related to Security issues and Emergencies](#)>> **Operating status for Washington DC area <<****Current Department of Homeland Security Threat Advisory Level >>****ELEVATED**

- **Consolidated Source of U.S. Government Information and Resources in Response to September 11th Events (12Sep2001)**

Consolidated information, reporting procedures, resources and advisories provided by FirstGov.

- **[EMail - Virus Alert] KLEZ worm "pretends" to be from USPTO (13May2002)**

-
- **United States Postal Service Interruption Notice to Trademark Customers (21Sep2004)**

The United States Patent and Trademark Office (USPTO) is designating the interruption in service of the United States Postal Service (USPS) in the areas affected by a series of hurricanes that started with Hurricane Frances in Florida on September 3, 2004 as a postal service interruption and an emergency within the meaning of 35 U.S.C. § 21(a). Accordingly, 37 C.F.R. § 2.195(e) is in effect immediately for all trademark-related correspondence originating from the affected areas..... **READ FULL NOTICE>>>**

- **Closing of the United States Patent and Trademark Office on Friday, June 11, 2004 (signed 10 June 2004) (14Jun2004) [PDF]**

In view of the official closing of the Federal Government offices in the Washington, D.C. metropolitan area, including the United States Patent and Trademark Office (USPTO), on Friday, June 11, 2004, the day proclaimed by President Bush as a National Day of Mourning, the United States Patent and Trademark Office will consider Friday, June 11, 2004, a "Federal holiday within the District of Columbia" under 35 U.S.C. § 21 and 37 C.F.R. §§ 1.6, 1.7, 1.9, 2.2(d), 2.195, and 2.196..... **READ FULL NOTICE>>>**

- **Closing of the United States Patent and Trademark Office on Thursday, September 18, 2003, and Friday, September 19, 2003 [signed 23 September 2003] (25Sep2003)**

In view of the official closing of the Federal Government offices in the Washington, D.C. metropolitan area, including the United States Patent and Trademark Office (USPTO), on Thursday, September 18, 2003, and Friday, September 19, 2003, the United States Patent and Trademark Office will consider Thursday, September 18, 2003, and Friday, September 19, 2003, a "Federal holiday within the District of Columbia" under 35 U.S.C. § 21 and 37 C.F.R. §§ 1.6, 1.7, 1.9, 2.2(d), 2.195, and 2.196..... **READ FULL NOTICE>>>**

- **United States Postal Service Interruptions and Emergency Terminated [signed 19 August 2003] (19Aug03)**

The power outage on Thursday, August 14, 2003, resulted in a number of United States Postal Service (USPS) post offices throughout the Northeast and Midwest United States being closed or not accepting mail. The United States Patent and Trademark Office (USPTO) published a notice on Friday, August 15, 2003..... **READ FULL NOTICE>>>**

- **United States Postal Service Interruptions (15Aug03)**

The United States Postal Service (USPS) has informed the United States Patent and Trademark Office (USPTO) that as a result of the power outage on Thursday, August 14, 2003, a number of post offices throughout the Northeast and Midwest United States are closed or are not accepting mail..... **READ FULL NOTICE>>>**

- **Closing of the United States Patent and Trademark Office on Tuesday, February 18, 2003 (26Feb2003)**

In view of the official closing of the Federal Government offices in the Washington, D.C. metropolitan area, including the United States Patent and Trademark Office, on Tuesday, February 18, 2003..... **READ FULL NOTICE>>>**

- **[Mail - Q&A]**

- Questions and Answers Concerning Postal Service Emergencies (04Mar2002)**

Answers to Frequently asked Questions..... **READ FULL NOTICE>>>**

- **Patent Applications submitted to the United States Patent and Trademark Office between September 1, 2001 and December 1, 2001 via the United States Postal Service (12Mar2002)**

The fiscal year 2002 patent application filing rate is currently less than anticipated by the United States Patent and Trademark Office (USPTO). The USPTO suspects that this decrease may be due to postal service delays caused by increased security procedures related to the discovery of anthrax in a Washington DC mail facility..... **READ FULL NOTICE>>>**

- **Memos Regarding Mail Delays from Deputy Commissioner for Patent Examination Policy to TC Directors (15Feb2002)**

On February 15, 2001, Memos I and II (attached PDFs) were sent by Stephen G. Kunin, Deputy Commissioner for Patent Examination Policy to the Patent Examining Corps Directors setting forth the Office policies for resetting and remailing Office actions (or notices) due to (both incoming and outgoing) mail delays..... **READ FULL NOTICE>>>**

- **Letter from Commissioner of Patents Godici to Registered Practitioners (17Jan2002)**

On January 16, 2002, Nicholas Godici, Commissioner for Patents, signed a letter that will be mailed to all registered patent practitioners..... **READ FULL NOTICE>>>**

- **Processing of, and Requirements for, the Filing of Duplicate Applications and Papers in Patent Applications in view of USPS Mail Delays (21Dec2001)**

Although mailed correspondence is being received by the United States Patent and Trademark Office (USPTO or Office), many papers that were mailed by first class mail or Express Mail through the United States Postal Service (USPS) in October and November of 2001 have had their delivery delayed.... **READ FULL NOTICE>>>**

- **Closing of the United States Patent and Trademark Office on Monday, December 24, 2001 (13Dec2001)**

The United States Patent and Trademark Office (USPTO) will be closed on Monday, December 24, 2001. Since Tuesday, December 25, 2001 is a Federal holiday, the USPTO will consider each of Monday, December 24, 2001, and Tuesday, December 25, 2001, to be a "Federal holiday within the District of Columbia"..... **READ FULL NOTICE>>>**

- **Notice Concerning Deposit Account Replenishments (11Dec2001)**

USPTO advises all deposit account holders to utilize the USPTO online services to monitor balances and to replenish deposit accounts by credit card or Electronic Funds Transfer (EFT):...
• **READ FULL NOTICE>>>**

- **Termination of Suspension of Express Mail of USPS for mail addressed to ZIP 202xx thru 205xx (06Dec2001)**

On Thursday, November 29, 2001, the USPS indicated that this suspension of Express Mail service has been terminated:.... • **READ FULL NOTICE>>>**

- **Questions and Answers Concerning Express Mail Temporary Address (05Dec2001)**

On Friday, November 16, 2001, the United States Postal Service (USPS) temporarily and immediately suspended Express Mail service to Washington, D.C., ZIP Codes 202xx through 205xx (e.g., 20231). On Tuesday, November 20, 2001, the United States Patent and Trademark Office (USPTO) posted a notice ...The USPTO **received the following questions concerning the above-mentioned notice**:... • **READ FULL NOTICE>>>**

- **Office of Enrollment and Discipline Address Change (21Nov2001)**

The United States Patent and Trademark Office (USPTO) since October 21, 2001, has been experiencing an interruption in delivery of United States Mail sent to the 20231 zip code. ... In view of the foregoing, **OED is requesting that all mail for enrollment and disciplinary matters** be addressed to the following new address:..... • **READ FULL NOTICE>>>**

- **[Express Mail - Temporary Address]
Notification Related to United States Postal Service Interruption (20Nov2001)**

On Friday, November 16, 2001, the Chief Operating Officer and Executive Vice President of the United States Postal Service (USPS) issued a memorandum **temporarily and immediately suspending Express Mail service to Washington, D.C., ZIP Codes 202xx through 205xx (e.g., 20231)**:..... • **READ FULL NOTICE>>>**

- **[Use of Mail, FAX, E-Mail & Other Delivery methods]
Mitigation of Delays in Mail Deliveries to the USPTO (09Nov2001)**

The United States Patent and Trademark Office (USPTO) since October 21, 2001, has been experiencing an interruption in delivery of United States Mail sent to our 20231 zip code. The USPTO has received very little correspondence sent to the 20231 zip code in the past few weeks. In view of these circumstances:..... • **READ FULL NOTICE>>>**

- **USPTO Tests Negative for Anthrax (05Nov2001)**

The United States Patent and Trademark Office (USPTO) is pleased to announce that, over the weekend, the Centers for Disease Control and Prevention (CDC) confirmed that all 88 samples taken at the USPTO tested **negative** for Anthrax. ... • **READ FULL NOTICE>>>**

- **United States Postal Service Interruptions and Emergency Terminated (31Oct2001)**

The tragic events in New York City on September 11, 2001, resulted in all Post Offices in the borough of Manhattan being closed. Currently, only the Church Street Post Office in Manhattan remains closed as a result of the events of September 11, 2001, and all other Post Offices throughout Manhattan are open for business.. ... • **READ FULL NOTICE >>>**

- **Notice Concerning Safety of USPTO Mailings - UPDATE (25Oct2001)**

As has been previously announced, non-trademark communications mailed from the United States Patent and Trademark Office (USPTO) before October 20, 2001, were routed through the U.S. Postal Service's Brentwood Sorting Station in Washington, D.C., where workers are diagnosed as having contracted anthrax. On October 22, 2001, the Centers for Disease Control (CDC) advised us that it was highly unlikely that mail passing through the Brentwood postal facility was contaminated and poses any threat. ... **READ FULL NOTICE >>>**

- **Notice Concerning Safety of USPTO Mailings (24Oct2001)**

In response to inquiries that the Office has received from its customers, the United States Patent and Trademark Office (USPTO) has obtained reassurance from the Centers for Disease Control (CDC) about the safety of mailings from the USPTO. ... **READ FULL NOTICE >>>**

- **Notice of U.S. Postal Service Interruptions (13Sep2001)**

The United States Postal Service (USPS) has informed the United States Patent and Trademark Office (USPTO) that as a result of the tragic event in New York City on September 11, 2001, all post offices in the borough of Manhattan are closed on September 12, 2001. These post offices will remain closed until further notice.

The USPTO is designating the interruption in the service of the USPS in the borough of Manhattan as a postal service interruption and an emergency within the meaning of 35 U.S.C. 21 (a). Accordingly, the USPTO will consider the provisions of 37 C.F.R. 1.6(e) as now in effect. As soon as the USPTO receives further information from the USPS as to when postal services in the borough of Manhattan will be resumed, the USPTO will post the information on the USPTO website at www.uspto.gov and a final notice will be published in the Official Gazette regarding the postal interruption in New York City.

It would be appreciated if members of the public would bring to the USPTO's attention any other post office closings related to current events. Such information can be brought to the USPTO's attention by contacting Eugenia Jones by e-mail at eugenia.jones@uspto.gov or telephone at 703-306-5586, or by contacting Carol Smith by e-mail at carol.smith@uspto.gov or by telephone at 703-308-8910 (ext 149).... **READ FULL NOTICE >>>**

- **Notice of USPTO Closure and Designation of September 11, 2001 under 35 U.S.C. § 21(b) for Purpose of Determining Timeliness of Actions or Fees (11Sep2001)**

The United States Patent and Trademark Office, as of approximately 10:30 a.m., September 11, 2001, has been closed for official business as a result of an order by the Office of Personnel Management. In the emergency situation of this day, the Patent and Trademark Office will consider September 11 a "federal holiday within the District of Columbia" under 35 U.S.C. § 21(b). Although normally the Patent and Trademark Office does not consider days on which the agency is closed for only part of the day as a federal holiday, it is making an exception for the unusual circumstances of this date. As a result of the closing of public transportation and particular circumstances in the immediate vicinity of the Office, parties are discouraged from coming to the Patent and Trademark Office in order to make filings on September 11.

Any action or fee due on September 11, 2001, will be considered as timely for the purposes of, e.g., 35 U.S.C §§ 119, 120, 133 and 151, if the action is taken, or the fee paid, on the next succeeding business day on which the Patent and Trademark Office is open. 37 C.F.R. § 1.6(a)(2) provides that correspondence deposited as Express Mail in accordance with 37 C.F.R. § 1.10 will be considered filed on the date of its deposit. **TEXT & IMAGE OF ORIGINAL SIGNED DOCUMENT >>>**

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